

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Young-Chan KIM

Application No.: 10/775,058

Confirmation No.: 1526

Filed : February 10, 2004

Group Art Unit: 2628

Customer No. : 38209

Examiner: Ryan R. Yang

For: VIDEO DISPLAY APPARATUS WITH ON-SCREEN DISPLAY PIVOTING FUNCTION

Mail Stop Issue Fee
Commissioner for patents
P.O. Box 1450
Alexandria, VA 22313-1450

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE
UNDER 37 C.F.R. § 1.104**

Sir:

The Examiner provided a Statement of Reason for Allowance in the Notice of Allowance and Fee Due, mailed December 21, 2009, in which the Examiner indicated that "as per claims 20, 34, 35 and 76, the closest prior art by Kishimoto, Register or Wantanabe does not explicitly teach 'converting scales of externally input color component video signals to have a certain frequency ratio in correspondence with display characteristics of the screen panel.'" As Per claim 52, the Examiner states that "the closest prior art by Kishimoto or Register does not explicitly teach 'a control unit to generate a pivot control signal to display the OSD image suitable to a rotated state of the rotatable display unit and a OSD driving signal according to a key manipulation by a user to indicate the rotated state pf the display unit and request and OSD, respectively.'"

As specified in MPEP 1302.14, "care must be taken to ensure that such reasons are accurate, precise, and do not place unwarranted interpretations, whether broad or narrow, upon the claims." It is respectfully submitted that the Examiner's Statement is not an accurate quote

with respect to each of the allowed claims, and instead, raises "possible misinterpretations, and possible estoppel effects" (MPEP 1302.04) and accordingly, should be disregarded.

The Examiner's statement appears to unnecessarily limit the claims to, for example, picking and choosing one recited feature among many features recited in each of the independent claims. However, Applicant respectfully points out that each of the claims should be considered as allowable as a whole, and not for one particular recitation over other recitations. While being useful in understanding the invention, the Examiner's comments could lead to an unwarranted and unnecessary narrowing interpretation of the claims. Therefore, it is further submitted that the claims should not be interpreted based on the Examiner's statement.

It is further submitted that the claims are not constrained by such device limitations and that the claims speak for themselves as to what features are included therein and are their own best evidence as to the reasons for allowance of same.

Dated: March 18, 2010
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